

OCT 15 2009

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

CHARLES W. REYNOLDS,
Petitioner,

V.

GENE M. JOHNSON,
Respondent.

Civil Action No. 7:09-cv-00388

FINAL ORDER

By: Samuel G. Wilson
United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby

ORDERED and ADJUDGED

that Reynolds' petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED** and this case shall be **STRICKEN** from the active docket of the court.

Reynolds is advised that he may appeal this decision pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 30 days of the date of entry of this Order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).

The Clerk of the Court is **DIRECTED** to send a certified copy of this Order and accompanying Memorandum Opinion to the petitioner.

ENTER: This 14th day of October, 2009.

United States District Judge